

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PENN-STAR INSURANCE COMPANY,
Plaintiff,

-v-

LORING PLACE REALTY LLC, *et al.*,
Defendants.

22-CV-1154 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

Plaintiff invokes this Court's diversity jurisdiction pursuant to 28 U.S.C. § 1332. However, the Complaint does not adequately demonstrate the Court's subject matter jurisdiction because it does not allege the citizenship of each of the members of the LLC defendant. LLCs are not corporations. The place of registration and principal place of business of an LLC are not relevant to the question of diversity of citizenship under § 1332. Rather, for purposes of diversity jurisdiction, an LLC has the citizenship of *each of its members*. See *ICON MW, LLC v. Hofmeister*, 950 F. Supp. 2d 544, 546 (S.D.N.Y. 2013). Thus, if Loring Place Realty LLC is in fact an "LLC," as its name suggests, then Plaintiff must allege that the citizenship of each member of the LLC defendant was diverse from Plaintiff at the date of this action's filing.

Therefore, Plaintiff shall, on or before February 25, 2022, either (1) show cause as to why its complaint should not be dismissed for lack of subject matter jurisdiction, or (2) move to file an amended complaint that properly pleads jurisdiction. If Plaintiff fails to do so, this action may be dismissed.

SO ORDERED.

Dated: February 11, 2022
New York, New York


J. PAUL OETKEN
United States District Judge